

BARRY E. HINKLE, Bar No. 071223  
NICOLE M. PHILLIPS, Bar No. 203786  
WEINBERG, ROGER & ROSENFELD  
A Professional Corporation  
1001 Marina Village Parkway, Suite 200  
Alameda, CA 94501-1091  
Telephone (510) 337-1001  
Facsimile (510) 337-1023  
Attorneys for Plaintiffs

ROBERT K. CARROL, State Bar No. 81277  
rcarrol@nixonpeabody.com  
JOSHUA M. HENDERSON, State Bar No. 197435  
jhenderson@nixonpeabody.com  
NIXON PEABODY LLP  
One Embarcadero Center, 18th Floor  
San Francisco, California 94111-3600  
Telephone: (415) 984-8200  
Fax: (415) 984-8300

Attorneys for Defendants

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, in their ) No. CV 08 2535 EDL  
capacities as Trustees of the LABORERS ) (Consolidated with CV 08-02557 EDL)  
HEALTH AND WELFARE TRUST FUND )  
FOR NORTHERN CALIFORNIA; LABORERS )  
VACATION-HOLIDAY TRUST FUND FOR )  
NORTHERN CALIFORNIA; LABORERS )  
PENSION TRUST FUND FOR NORTHERN )  
CALIFORNIA; and LABORERS TRAINING )  
AND RETRAINING TRUST FUND FOR )  
NORTHERN CALIFORNIA, )

Plaintiffs,

v.

CLIFFORD GREGORY ESCOBAR,  
Individually, CLIFFORD GREGORY  
ESCOBAR, Individually and doing business as  
ESCOBAR & ESCOBAR CONCRETE  
CONSTRUCTION; CATHERINE JOY  
ESCOBAR, Individually, CATHERINE JOY

**STIPULATION TO CONTINUE  
PRETRIAL SCHEDULE;  
[PROPOSED] ORDER**

ESCOBAR, Individually and doing business as )  
 ESCOBAR & ESCOBAR CONCRETE )  
 CONSTRUCTION; and ESCOBAR & ) No. CV 08-02557 EDL  
 ESCOBAR CONCRETE CONSTRUCTION ) (Consolidated with CV 08-02557 EDL)

Defendants.

THE BOARD OF TRUSTEES, in their )  
 capacities as Trustees of the CEMENT )  
 MASONS HEALTH AND WELFARE TRUST )  
 FUND FOR NORTHERN CALIFORNIA; )  
 CEMENT MASONS PENSION TRUST FUND )  
 FOR NORTHERN CALIFORNIA; CEMENT )  
 MASONS VACATION/HOLIDAY TRUST )  
 FUND FOR NORTHERN CALIFORNIA; )  
 CEMENT MASONS APPRENTICESHIP AND )  
 TRAINING TRUST FUND FOR NORTHERN )  
 CALIFORNIA,

Plaintiffs,

v.

CLIFFORD GREGORY ESCOBAR, )  
 Individually, CLIFFORD GREGORY )  
 ESCOBAR, Individually and doing business as )  
 ESCOBAR & ESCOBAR CONCRETE )  
 CONSTRUCTION; CATHERINE JOY )  
 ESCOBAR, Individually, CATHERINE JOY )  
 ESCOBAR, Individually and doing business as )  
 ESCOBAR & ESCOBAR CONCRETE )  
 CONSTRUCTION; and ESCOBAR & )  
 ESCOBAR CONCRETE CONSTRUCTION )

Defendants.

Plaintiffs and Defendants hereby stipulate as follows:

The parties through their legal counsel attended a mediation on November 14, 2008, and within a few weeks after the mediation, the parties agreed orally to settlement terms. The parties are still in the process of reviewing language for a final settlement agreement.

Anticipating settlement and in order to avoid costs, the parties have not engaged in any

1 additional discovery in this matter.

2 The parties therefore stipulate to continue the deadlines set forth in the Court's September  
3 30, 2008, pretrial schedule for at least 30 days. A subsequent case management conference is set  
4 for January 27, 2009, by which time the parties hope that this case will either settle or will be able  
5 to agree upon a new pretrial schedule.

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8  
9 Dated: January 14, 2009

WEINBERG, ROGER & ROSENFELD  
A Professional Corporation

10  
11 By: //s//  
12 NICOLE M. PHILLIPS  
Attorneys for Plaintiffs

13 Dated: January 14, 2009

14 NIXON PEABODY LLP

15 By: //s//  
16 JOSHUA M. HENDERSON  
Attorneys for Defendants  
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**[PROPOSED] ORDER**

The foregoing Stipulation to Continue Pretrial Schedule for at least 30 days is hereby adopted by the Court. The Court will adopt a revised Pretrial Schedule at the upcoming Case Management Conference, scheduled for January 27, 2009.

~~The Court also orders the following:~~

Dated: January 16, 2009

